CLASSIFICATION OFFICE DECISION

Title of publication:	000052.jpg
Other known title(s):	Not stated
OFLC ref:	1400012.000
Medium:	Computer Image File
Publisher:	Not applicable
Country of origin:	New Zealand
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	13 February 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	13 February 2014

Summary of reasons for decision:

The image on the file depicts a naked prepubescent girl in an informal pose that shows her genital area. The existence of the image is a record of a breach of trust. The photographer has taken advantage of the vulnerability of a girl who does not have the maturity necessary to be aware of possible consequences. The image exploits the nudity of a child to such a high degree that its availability is likely to be injurious to the public good.

Banning this publication interferes with freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention to limit the availability of publications that exploit the nudity of children.